

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

LOCAL 8027, AFT-NEW HAMPSHIRE, AFL-CIO, RYAN
RICHMAN, JOHN DUBE and JOCEYLN MERRILL,
teachers in the New Hampshire Public Schools, and
KIMBERLY GREEN ELLIOTT and MEGHAN EVELYN
DURDEN, parents or guardians of children in the New
Hampshire public schools.

Plaintiffs,

v.

FRANK EDELBLUT, in his Official Capacity as
Commissioner of the DEPARTMENT OF EDUCATION
("DOE"), CHRISTIAN KIM in his Official Capacity as the
Chair of the NEW HAMPSHIRE COMMISSION ON
HUMAN RIGHTS, and JOHN FOMELLA in his Official
Capacity as ATTORNEY GENERAL of the State of New
Hampshire.

Defendants.

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ANDRES MEJIA,
CHRISTINA KIM PHILIBOTTE, and
NATIONAL EDUCATION ASSOCIATION-NEW
HAMPSHIRE,

Plaintiffs,

v.

FRANK EDELBLUT, in his official capacity only as the
Commissioner of the New Hampshire Department of
Education,

JOHN M. FORMELLA, in his official capacity only as the
Attorney General of the State of New Hampshire,

AHNI MALACHI, in her official capacity only as the
Executive Director of the New Hampshire Commission for
Human Rights,

CHRISTIAN KIM, in his official capacity
only as the Chair of the New Hampshire Commission for
Human Rights,

KEN MERRIFIELD, in his official capacity only as the
Commissioner of the Department of Labor,

Defendants.

Civil No. 1:21-cv-01077-PB

**THE PARTIES' JOINT MOTION TO EXTEND DEADLINES ESTABLISHED IN
THE COURT'S MAY 24, 2023 ORDER**

The parties, through counsel, submit this Joint Motion to Extend Deadlines in this matter:

1. The parties are cooperatively working to complete discovery in this matter, which was scheduled to end on June 2, 2023. Defendants have responded to interrogatory requests and produced four witnesses for deposition. Their document production is nearly complete.

2. However, the parties require an approximate four-week extension to finalize discovery, which will extend the discovery deadline to **June 28, 2023**. During this additional period, the parties will conduct one additional deposition on June 26, 2023. This extension is also necessary to address the unavailability of one of Defendants' witnesses.

3. Given this necessary approximate four-week extension of the discovery deadline, the parties also seek an approximate four-week extension of the briefing schedule in this case as follows:

- The parties' simultaneous cross-motions for summary judgment: From July 14, 2023, to **August 7, 2023**.
- The parties' simultaneous objections to the respective cross-motions for summary judgment: From August 11, 2023, to **September 11, 2023**.

4. Accordingly, the parties propose to extend the deadlines as follows:

Scheduling Designation	Current Deadline	Proposed Deadline
Completion of Discovery	June 2, 2023	June 28, 2023
Parties' simultaneous cross-motions for summary judgment	July 14, 2023	August 7, 2023
Parties' simultaneous objections to the respective cross-motions for summary judgment	August 11, 2023	September 11, 2023

5. A Civil Form 3 is attached hereto.

6. No supporting memorandum has been filed due to the procedural nature of this motion.

7. Counsel for Defendants were consulted and jointly submit this Motion.

WHEREFORE, the parties respectfully request that this Honorable Court:

A. Grant this Motion to Extend the Deadlines Established in the Court's May 24, 2023 Order; and

B. Grant any additional relief that is just and proper.

Respectfully Submitted,

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June 23, 2023